

Subpart B - Policy

405.10 Comprehensive Nutrient Management Plans

- A. USDA's goal is for AFO/CAFO owners and operators to take voluntary actions to minimize potential water pollutants from storage facilities, confinement areas, and land application areas. The CNMP is also developed to assist an AFO owner/operator in meeting all applicable local, Tribal, State, and Federal water quality goals or regulations. In addition, this plan shall not result in excessive air emissions and/or negative impacts to air quality resource concerns if it is feasible to mitigate these effects.
- B. A CNMP shall be prepared when NRCS or NRCS-designated agents are providing technical or financial assistance to an AFO or CAFO to address manure or wastewater handling and storage/treatment and/or when providing technical or financial assistance for nutrient management that involves the application of manure and wastewater. Once developed, the CNMP shall be signed by the producer before the installation of any waste storage/handling facilities and nutrient management activities identified in the CNMP are initiated.
- C. Some data necessary to develop a CNMP will come from chemical analyses of soils, plant tissue, manure, water, and feed. Soil test analyses shall be performed by laboratories successfully meeting the requirements and performance standards of the North American Proficiency Testing Program (NAPT) Proficiency Assessment Program (PAP) <http://www.naptprogram.org/pap/> under the auspices of the Soil Science Society of America or a State-recognized program that considers laboratory performance and proficiency to assure accuracy of test results.
- D. Manure analyses shall be performed by laboratories successfully meeting the requirements and performance standards of the Manure Testing Laboratory Certification Program (MTLCP) <http://www.mda.state.mn.us/licensing/pestfert/manurelabs.htm> under the auspices of the Minnesota Department of Agriculture or a State-recognized program that considers laboratory performance and proficiency to assure accuracy of test results. States are encouraged to adopt the MTLCP or State Conservationists can establish State proficiency criteria that meet or exceed the MTLCP program criteria.
- E. A CNMP may be developed using custom fertilizer recommendations. Planners shall follow guidance found in the Nutrient Management conservation practice (code 590) and document the rationale for using custom recommendations in the CNMP.
- F. The CNMP shall be developed in accordance with all applicable local, Tribal, State, and Federal water quality goals or regulations. The CNMP shall require evaluation and documentation of compliance with the National Environmental Policy Act, the Endangered Species Act, the National Historic Preservation Act, and other effects on the environment. Information on evaluation and documentation is found in the NRCS National Environmental Compliance Handbook and NRCS National Cultural Resources Procedures Handbook. The NRCS National Environmental Compliance Handbook is available at http://directives.sc.egov.usda.gov/media/pdf/H_190_610.pdf.
- The NRCS National Cultural Resources Procedures Handbook is available at http://directives.sc.egov.usda.gov/media/pdf/H_190_601_a.pdf. Use the key words "evaluation" or "documentation" to search for information.
- G. A PAD shall be prepared to assist with the producer's understanding and management of the CNMP. This document shall be readily available to the producer. The minimum criteria for the PAD are provided in Section III of the FOTG for Comprehensive Nutrient Management Plans under Section 3.2. Portions of the PAD national template not applicable to a specific CNMP will not need to be addressed.

405.11 Minimum Technical Requirements Essential for Providing CNMP Technical Assistance

- A. Applies to NRCS and conservation partners, NRCS agents, and/or Technical Service Providers (TSP). A CNMP that is developed by NRCS, conservation partner, or TSP will have the CNMP approved by an NRCS-approved CNMP Planner, as defined in GM-180, Parts 409 and 411. Per GM-180, the NRCS-approved CNMP Planner will assure that an appropriate planning process has been followed in the development of the CNMP and that all needed elements have been prepared by an appropriate NRCS Certified Conservation Planner and/or appropriate specialist(s). State Conservationists will establish the general requirements that must be included in a State-certification program for CNMP Planners.
- B. Relevant to the NRCS and conservation partners. Refer to GM-180, Part 409, Subpart B, Policy, Section 409.10 for the general requirements for CNMP planning. The FOTG Section III contains the CNMP technical criteria associated with the elements of a CNMP.

C. TSPs play an important role in the development of CNMPs. NRCS has developed criteria and qualifications needed to become a TSP. The criteria and qualifications needed to become a TSP are specified on the TechReg Web site at <http://techreg.usda.gov/>. The State Conservationist may also certify TSPs as NRCS Certified Conservation Planners. Prior to requesting certification, the TSP must meet minimum national and State training and proficiency requirements for the desired certification level. In addition, NRCS certification of TSPs will be contingent upon:

- (1) The State Conservationist identifying a critical need for TSP planning assistance in the State.
- (2) The availability of NRCS staff to provide technical oversight, evaluation, and review of the TSP during the certification process.

D. TSPs who are NRCS-approved CNMP Planners and/or Certified Conservation Planners are listed on the TechReg Web site.

E. Relevant to NRCS and conservation partners. In addition to the general requirements, the State Conservationist will establish certification requirements specific to elements of a CNMP. As a part of the certification process, the State Conservationist will determine how competency will be demonstrated or measured for the following elements:

(1) **Manure and Wastewater Handling and Storage.** This element addresses the planning of the components and activities associated with the production facility, feedlot, manure and wastewater storage and treatment structures, and any areas or mechanisms used to facilitate transfer of manure and wastewater. The following are required:

- (i) Skill to adequately inventory and evaluate the production site to identify resource concerns in the production area.
- (ii) Ability to plan the conservation treatment alternatives to treat the resource concerns identified in the inventory and evaluation.
- (iii) Ability to recognize needed expertise to identify appropriate conservation measures and treatments.
- (iv) Ability to apply the information contained in the [NRCS Agricultural Waste Management Systems Level 2 Course](#), or equivalent in a field setting.
- (v) Knowledge of the concepts and principles contained in the NRCS Air Quality, Climate Change, and Energy Course and the NRCS Air Quality Resource Concerns Course, or equivalents.

(2) CNMPs that include these components will be prepared and signed by a certified conservation planner in accordance with NRCS policy as described in GM-180, Parts 409 and 411.

(3) Structural practices included in CNMPs will be planned, designed, and approved by NRCS and/or partnership employees with an appropriate level of NRCS engineering job approval authority. Structural practices planned by TSPs will be designed and approved by a professional engineer licensed in the State where the CNMP is located.

(4) Land Treatment. This element addresses the land on which manure and wastewater from an AFO will be applied. The following are required:

- (i) Knowledge to identify natural resource concerns.
- (ii) Ability to plan conservation systems according to the NRCS conservation planning process.
- (iii) Skill in applying water and/or wind erosion prediction tools, as appropriate.
- (iv) Skill in using applicable site-specific nitrogen and phosphorus risk assessment tools.
- (v) Knowledge adequate to design and implement conservation practices common to the geographic area.
- (vi) Knowledge and skill to use the Customer Service Toolkit (CST).
- (vii) Knowledge of the concepts and principles contained in the NRCS Air Quality, Climate Change, and Energy Course and the NRCS Air Quality Resource Concerns Course, or equivalents.

(5) **Nutrient Management**

(i) This element addresses the requirements for planning land application of all nutrient sources. The following are required:

Ability to apply the concepts and principles contained in the NRCS Introduction to Water Quality Course, or equivalent.

Skill in using erosion and risk assessment tools commonly employed in planning and risk assessment activities (phosphorus risk assessment, nitrogen risk assessment, or Revised Universal Soil Loss Equation (RUSLE2)).

Skill in using planning and decision support tools commonly employed in planning manure management systems (MMP, nutrient application planning, and using appropriate setbacks).

Ability to apply the concepts and principles contained in the [NRCS Nutrient and Pest Management Considerations in Conservation Planning Course](#), as it pertains to nutrient management, or

equivalent.

Ability to plan in accordance with the NRCS Nutrient Management conservation practice (code 590) criteria.

Certification in nutrient management planning, if established and required by the State Conservationist to meet State requirements.

The nutrient management planning component of the CNMP will be prepared and signed by an individual who holds State Conservationist-approved certification for nutrient management in the State where the CNMP is located.

F. Applies to NRCS and conservation partners, NRCS agents, and/or TSPs. To maintain CNMP certifications refer to GM-180.

G. Relevant to NRCS and conservation partners, NRCS agents, and/or TSPs. The State Conservationist will include in the State Quality Assurance Plan the actions to develop and maintain a CNMP certification program.

H. The certified conservation planner will ensure that Feed Management and Other Utilization Options elements, when included, are developed by appropriate specialists as determined by the State Conservationist. When the Feed Management conservation practice (code 592) is included in the CNMP, diets and feed management strategies shall be developed by professional animal scientists, independent professional nutritionists, or other comparably qualified individuals. When required by State policy or regulation, animal nutritionists shall be certified through any certification program recognized within the State.

I. If it is determined that excessive negative impacts to air quality resource concerns arise from existing or planned land treatment and/or production area activities identified in the CNMP, then air quality impact mitigation is required in the CNMP. The certified conservation planner will ensure that air quality resource concerns are developed by appropriate specialists as determined by the State Conservationist.

J. A CNMP shall be signed by the producer, certified conservation planner, appropriate CNMP planning specialist(s), and other specialists, as required. The certified conservation planner signs the CNMP to ensure technical adequacy and that all included elements are technically compatible, reasonable, and can be implemented. The certified conservation planner must possess the knowledge, skills, and abilities to manage the development and coordination of all CNMP elements. The State Conservationist will ensure that the certified conservation planner obtains and maintains the needed training/certification(s) to ensure technical adequacy and compatibility of the CNMP.

405.12 Agency-Supported CNMP Software

A. Planners are strongly encouraged to take advantage of the following software that is designed to streamline the CNMP development process, and improve the quality of CNMP output products.

B. MMP

(1) MMP is the only NRCS nationally supported software used to develop a CNMP and PAD. MMP is used to automate the CNMP development process. States can add additional items to the formatted template sections to meet local and State requirements.

(2) CNMP and PAD templates provided by the MMP software meet the criteria specified in Section III of the FOTG. States may adjust their CNMP templates to accommodate the additional requirements for State and local regulations. The national PAD template provides the basic format and content for an abbreviated CNMP document that summarizes the day-to-day activities the producer needs to perform to successfully implement the CNMP.

C. GeoSpatial Nutrient Management

(1) The GeoSpatial Nutrient Management Tool (GNT) is a key component of the automated CNMP development package, and makes possible the importation of CST plans. GNT can also be used as a geographic information system (GIS) "front-end" for MMP to lay out an operation's fields and setback areas spatially to automatically determine the following for each field:

- (i) Total field size.
- (ii) Setback area acres.
- (iii) Spreadable acres (total acres less any setback or other sensitive areas within a field).
- (iv) Soil types.
- (v) Water bodies.
- (vi) Hauling distances.

(2) Connectivity between GNT and MMP expands the number of map output options for inclusion in the CNMP document. Connectivity with CST allows older plans to be modified and used to generate a CNMP.

D. A CNMP may be developed by other means (alternative State-approved software), as long as Section III FOTG CNMP Technical Criteria requirements are followed and CNMP document format requirements are adhered to per Section III FOTG CNMP Technical Criteria.

405.13 Technical Service Providers

- A. TSPs shall follow CNMP policies as set forth in GM-190, Part 405, CNMPs.
- B. TSPs shall follow State-established certification criteria and qualification requirements as posted on the NRCS TechReg Web site: <http://techreg.usda.gov/>.
- C. MMP or alternative State-approved software and associated tools used in the development of CNMP output products shall be made available to TSPs.
- D. TSPs are encouraged to work with USDA Field Service Center staff throughout the comprehensive nutrient management planning process and in the development, review, and delivery of CNMP output products.